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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

### Division of Water Rights

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September 29, 2003

To the Provo River Distribution System Committee:

The past several years have been extremely dry, demand for water from the Provo River System has increased, and the complexities involved in distributing water have multiplied. Commissioner Stan Roberts has done a good job working with the water users in very trying circumstances. However, there is one issue that I am very concerned about and that needs to be addressed.

The most recent final distribution data that has been submitted to our office is for October 2001. I believe we have reached a time when annual reporting of firm data, especially when submitted months or years late, no longer meets the needs of water management on the Provo River. With the growing interest in and competition for water from Provo River, maintaining accurate public records of distribution is essential to demonstrate that water has been distributed appropriately. Without this type of record, I am unable to defend the actions of the commissioner.

Because of the drought conditions, the Utah Lake Management Plan came very close this year to being tested for the first time since it was implemented in 1992. The accompanying graph shows the current status of the system storage in comparison with the Primary water right lake level. According to the management plan, unconverted upstream system storage is to be released to fill prior water rights in Utah Lake whenever the total system storage drops below the Primary water right lake level of 290,000 acre feet.

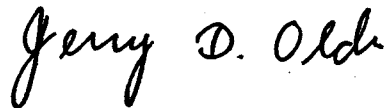
This situation emphasizes the importance of timely and accurate data concerning reservoir storage and water distribution on the Provo River. If circumstances this year had required the release of unconverted system storage, we would have been forced to base the release decision on provisional data. The reliance on provisional data reduces the credibility of the management decision and increases the likelihood of litigation.

Cooler weather has reduced irrigation demands and it appears there will be no call on unconverted upstream system storage this year. However, another dry winter could create a very difficult situation next year. We must prepare for that possibility.

Given the increasing demand for water in Utah Valley and Salt Lake Valley, the increasing interest in the use of water based on water rights in Utah Lake, and the possibility of another year of drought, it is imperative that the issue of reporting distribution and storage data for the Provo River be addressed and resolved as soon as possible. A solution must be found that will provide accurate and timely data on which this office and the Provo River water users can rely.

My staff stands ready to work with your committee and the commissioner to solve this important problem. If you have questions or comments concerning this issue or would like to schedule a meeting to discuss it, please contact Lee Sim, Assistant State Engineer for Distribution, by phone at (801)5328-7380 or by e-mail at [LeeSim@Utah.Gov](mailto:LeeSim@Utah.Gov) .

Sincerely,

A handwritten signature in black ink that reads "Jerry D. Olds". The signature is written in a cursive, flowing style.

Jerry D. Olds, P.E.  
State Engineer

cc: Lee Sim, Assistant State Engineer  
Boyd Clayton, Assistant State Engineer  
Jim Riley, Regional Engineer  
Stan Roberts, Water Commissioner